



Mr Thatcher
c/o Mr Karl Bowers
TaylorHare Architects Ltd
The Cowshed
Overland Lane
Canterbury
CT3 2LE

Town and Country Planning Act 1990 (As Amended)

APPLICATION NUMBER 23/00119

NOTIFICATION OF GRANT OF FULL PLANNING PERMISSION

Proposal: Erection of 7 dwellings including the demolition and rebuild of an existing dwelling
Location: 8 The Street, Ash, CT3 2HJ

TAKE NOTICE that Dover District Council, the District Planning Authority under the Town and Country Planning Act, **HAS GRANTED** Full Planning Permission for the proposal in accordance with the application and accompanying plans received.

SUBJECT TO SUCH CONDITIONS AS ARE SPECIFIED hereunder together with the reasons for their imposition:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
Reason: To comply with the requirements of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (or any legislation revoking or re-enacting that legislation with or without modification).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

1902_001 (Site Location Plan), 1902_003_A (Proposed Block Plan), 1902_110_C (Amended Unit 1 Plans & Elevations), 1902_111 (Unit 2 & 3 Floor Plan and Elevations) 1902_113_A (Unit 4 Plans & Elevations), 1902_112_A (Unit 5 & 6 Plans & Elevations), 1902_114_P1 (Unit 7 Floor Plan and Elevations), Tree Protection Plan dated 10/02/20, Arboricultural Impact Assessment & Method Statement Treeveys Consulting dated 31/11/2019, Bat Survey and Mitigation Strategy, KB Ecology dated 03 March 2020.
- 3 No development above ground level shall take place until samples of materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

- 4 The approved refuse storage facilities and bicycle storage for each dwelling shall be provided for that dwelling prior to its first occupation and shall be retained as such at all times.

Reason: To facilitate the collection of refuse and preserve visual amenity and to ensure the provision and retention of adequate off-street parking facilities for bicycles in the interests of highway safety and to encourage sustainable transport modes.

- 5 No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The said plan shall include details of: loading and unloading of plant and materials; on site parking for construction workers; temporary access arrangements; measures to prevent dirt or other debris from being deposited upon the public highway; machine operated plant to be used; temporary lighting; measures to control the emission of dust and dirt during construction; and temporary hoarding/fencing. The approved Construction Management Plan shall be fully complied with throughout the construction period.

Reason: These details are required prior to the commencement of the development in the interests of minimising the impact of the development during the construction phase.

- 6 Before the construction of the access hereby permitted, details to prevent the discharge of surface water on the public highway shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved plans.

Reason: In order to prevent the discharge of surface water on the public highway in the interests of highway safety.

- 7 The public access to the three spaces between Units 1 and 2, and those three spaces, shall be provided, surfaced and drained prior to the first occupation of any residential unit. The other areas shown on the approved drawings as vehicle parking space and turning space shall be provided, surfaced and drained before the first occupation of the dwelling to which those areas relate. The areas of public access and parking shall be retained for that use thereafter whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, and re-enacting that Order with or without modification).

Reason: Development without provision of adequate parking of vehicles is likely to lead to highway safety issues to other road users.

- 8 There shall be a bound surface for the first 5m of the access from the edge of the highway.

Reason: In the interests of highway safety.

- 9 Prior to the site first being brought into use, the approved access and associated highway alterations (parking restrictions) shown on the approved plans shall be completed, retained and maintained thereafter.

Reason: In the interests of highway safety.

- 10 The gradient of the access shall be no steeper than 1 in 10 for the first 1.5m from the highway boundary and no steeper than 1 in 8 thereafter.

Reason: In the interests of highway safety.

- 11 Before any part of the development is first occupied, visibility splays of 43m x 2.4m x 43m, within which there shall be no obstruction in excess of 1m in height above the carriageway edge, shall be provided either side of the vehicle access to the site and the splays shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

- 12 Prior to the first occupation of any residential dwelling within the site, the step-free paved connection to public footpath EE117 at the rear of the site shall be provided and shall thereafter be maintained.

Reason: In the interest of pedestrian connectivity.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification), no development shall be carried out within Classes A-E of Part 1 of Schedule 2 of that Order.

Reason: To enable the local Planning authority to regulate and control the development of land in the interests of protecting the character and amenities of the locality.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no openings shall be constructed at first floor level of the dwellings other than as hereby approved.

Reason: In the interests of the amenity of occupants of the adjoining property.

- 15 No development above ground shall take place until full details of all external joinery, eaves detail and ridge detail at a scale of 1:10 for Unit 1 has been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of preserving the architectural or historic interest of the Conservation Area.

- 16 The development shall be carried out in accordance with the tree protection measures in the approved Arboricultural Impact Assessment & Method Statement, Treeveys Consulting dated 31/11/2019 and the Tree Protection Plan dated 10/02/2020 .

Reason: In the interests of the visual amenity of the area.

- 17 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a watching brief to be undertaken by an archaeologist approved by the local planning authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has previously been submitted to and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded. These details are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

- 18 The development hereby permitted shall be carried out in accordance with the mitigation and enhancement measures identified in the Bat Survey and Mitigation Strategy, KB Ecology dated 03 March 2020.

Reason: To protect the existing populations of protected species and to improve habitat on the site.

- 19 Prior to the commencement of the development hereby permitted full details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In order to protect and enhance the amenity of the area.

- 20 No development shall take place until details of site drainage works for the disposal of the site's surface water and designed in accordance with the principles of sustainable urban drainage, have been submitted to and approved in writing by the local planning authority. The approved details shall be carried out before the dwellings are first occupied and the works shall be carried out and thereafter maintained in accordance with those details.

Reason: These details are required prior to the commencement of the development in order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve the appearance of the development.

- 21 No development shall take place until a detailed scheme for the disposal of foul sewage, which shall include provision for (specify if known) works on site and (specify if known) works off site, together with a programme for implementation and long term maintenance, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented and operational before any of the dwellings hereby permitted are first occupied and shall be maintained in accordance with the approved scheme thereafter.

Reason: These details are required prior to the commencement of the development to ensure the development is served by satisfactory arrangements for the disposal of foul sewage.

- 22 No development shall take place above ground level until a plan and details indicating the positions, design, materials and type of boundary treatment and hard surfacing to be erected has been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the occupation of the development to which those details relate.

Reason: To ensure a high quality of design and in the interests of enhancing the quality and enjoyment of the environment.

In reaching the decision to grant planning permission, the Local Planning Authority has taken into account the requirement in Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan, the policies of the Development Plan and all other material considerations. Policies are referred to in conditions where appropriate.

Dated: 1st August 2023

<p>DISTRICT COUNCIL OFFICES WHITE CLIFFS BUSINESS PARK DOVER, KENT CT16 3PJ</p> <p>TEL: (01304) 821199</p>	<p>Signed:</p>  <p>Sarah Platts Head of Planning & Development</p>
--	---

YOUR ATTENTION IS DRAWN TO THE REQUIREMENTS OF THE CONDITIONS SET OUT IN THIS DECISION NOTICE. THE PLANNING PERMISSION IS CONDITIONAL ON COMPLIANCE WITH THESE REQUIREMENTS. SOME CONDITIONS MAY REQUIRE THE SUBMISSION AND APPROVAL OF FURTHER DETAILS BEFORE ANY WORK IS COMMENCED AND SUCH SUBMISSIONS WILL BE SUBJECT TO A FURTHER FEE.

ANY CHANGE TO THE APPROVED PLANS IS LIKELY TO REQUIRE A FURTHER PLANNING PERMISSION.

FAILURE TO COMPLY WITH THESE REQUIREMENTS MAY LEAD TO LEGAL ACTION BY THE DISTRICT COUNCIL AND /OR MEAN THAT THE PERMISSION IS VOID.

In accordance with paragraph 38 of the NPPF, Dover District Council (DDC) takes a positive and proactive approach to development proposals focused on solutions. DDC works with applicants/agents in a positive and proactive manner by: Offering a pre-application advice service; where possible, suggesting solutions to secure a successful outcome; and, as appropriate, updating applicants/agents of any issues that may arise in the process of their application.

YOUR ATTENTION IS ALSO DRAWN TO THE FOLLOWING NOTES/INFORMATIVES WHICH FORM PART OF THIS NOTICE.

Development Low Risk Area - Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

The application was considered by the Planning Committee where the applicant/agent has the opportunity to speak to the committee and promote the application.

The decision is the subject of a Unilateral Undertaking to seek a SPA mitigation payment prior to the commencement of the development.

Appeals to the Secretary of State

- * If you are aggrieved by the decision of the Council to refuse permission for the proposed development, or to grant permission subject to conditions, you may wish to discuss with the Council whether a revised proposal would be likely to succeed; the District Council is likely to charge for such discussions. Otherwise you may appeal to the First Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you wish to appeal, you must do so within 6 months of the date of this notice or within 12 weeks of this date if your application concerned is householder development or minor commercial. Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, Tel: 0303 444 5000, or online at www.planningportal.gov.uk/pes.

The Secretary of State has power to allow a longer period for giving notice of an appeal, but he will not be prepared to use this power unless there are extraordinary circumstances which excuse the delay in giving notice of appeal.

- * The Secretary of State need not consider an appeal if it seems to him that the Council could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Council based its decision on a direction given by him.

*

Purchase Notices

- * If either the Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- * In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Environmental Statements

- * If you submitted an Environmental Statement, the Local Planning Authority has taken that environmental information into consideration in reaching its decision.

Other Matters

- * Any planning permission or approval granted is confined to permission under the Town and Country Planning Act and the Town and Country Planning (General Development Procedure) Order 2015, and does not negate the need for compliance with any other enactment, bylaw, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be required. This includes the need to apply for Listed Building Consent should the proposal involve the demolition or alteration (internal or external) of, or extension to, a building listed as being of Architectural or Historic Interest, or of any structure built before July 1948 within the curtilage of a listed building, for the total or substantial demolition of any unlisted building if it is situated within a designated conservation area.
- * You are advised particularly to contact the Building Control Officer at the District Council Offices, White Cliffs Business Park, Dover (01304 821199) to ascertain whether permission is necessary under the Building Regulations. Attention is also drawn in particular to the provisions of Section 53 of the County of Kent Act 1981, which may be applicable, the requirements of the Party Wall Etc Act 1996 concerning notifying affected neighbours and the Housing Act 2004 concerning the adequacy of lighting to habitable rooms. Many species of wildlife and their habitat are protected by law.
- * Should any change be required to your proposal, however minor, in connection with other legislation or otherwise, a further planning permission is likely to be required to ensure that the development is authorised.